Supreme Court, U. S.
FILED
NOV 25 1977
MICHAEL RODAK, JR., CLERK

No. 77-602

In the Supreme Court of the United States

OCTOBER TERM, 1977

ARCO PIPE LINE COMPANY, PETITIONER

v.

UNITED STATES OF AMERICA, ET AL.

ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

MEMORANDUM FOR THE FEDERAL PARTIES IN OPPOSITION

WADE H. MCCREE, JR.,
Solicitor General,
Department of Justice,
Washington, D.C. 20530.

In the Supreme Court of the United States

OCTOBER TERM, 1977

No. 77-602

ARCO PIPE LINE COMPANY, PETITIONER

v.

UNITED STATES OF AMERICA, ET AL.

ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

MEMORANDUM FOR THE FEDERAL PARTIES IN OPPOSITION

This case, which involves the propriety of an order of the Interstate Commerce Commission suspending petitioner's initial rate tariffs for the carriage of crude oil over the Trans Alaska Pipeline System, arises out of the same set of facts and raises the same legal issues as three other cases already pending before the Court on petitions for a writ of certiorari—*Mobil Alaska Pipeline Company* v. *United States,* No. 77-452; *Exxon Pipeline Company* v. *United*

States, No. 77-457; and *BP Pipelines Inc.* v. *United States*, No. 77-551. For the reasons stated in our brief in opposition to those petitions,[1] this petition for a writ of certiorari also should be denied.

Respectfully submitted.

WADE H. MCCREE, JR.,
Solicitor General.

NOVEMBER 1977.

---

[1]We are furnishing petitioner's counsel with a copy of our brief in opposition in those cases.

DOJ-1977-11